

tional and Commercial Space Programs', is enacted as follows".

PURPOSE; CONFORMITY WITH ORIGINAL INTENT

Pub. L. 111-314, §2, Dec. 18, 2010, 124 Stat. 3328, provided that:

"(a) PURPOSE.—The purpose of this Act [see Tables for classification] is to codify certain existing laws related to national and commercial space programs as a positive law title of the United States Code.

"(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93-554 (2 U.S.C. 285b(1))."

TRANSITIONAL AND SAVINGS PROVISIONS

Pub. L. 111-314, §5, Dec. 18, 2010, 124 Stat. 3443, provided that:

"(a) DEFINITIONS.—In this section:

"(1) SOURCE PROVISION.—The term 'source provision' means a provision of law that is replaced by a title 51 provision.

"(2) TITLE 51 PROVISION.—The term 'title 51 provision' means a provision of title 51, United States Code, that is enacted by section 3.

"(b) CUTOFF DATE.—The title 51 provisions replace certain provisions of law enacted on or before July 1, 2009. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 51 provision. If a law enacted after that date is otherwise inconsistent with a title 51 provision or a provision of this Act [see Tables for classification], that law supersedes the title 51 provision or provision of this Act to the extent of the inconsistency.

"(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 51 provision is deemed to have been enacted on the date of enactment of the corresponding source provision.

"(d) REFERENCES TO TITLE 51 PROVISIONS.—A reference to a title 51 provision is deemed to refer to the corresponding source provision.

"(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 51 provision.

"(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 51 provision.

"(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 51 provision."

REPEALS

Pub. L. 111-314, §6, Dec. 18, 2010, 124 Stat. 3444, repealed specified laws relating to national and commercial space programs, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before Dec. 18, 2010.

Subtitle I—General

CHAPTER 101—DEFINITIONS

Sec.

10101. Definitions.

§ 10101. Definitions

In this title:

(1) ADMINISTRATION.—The term "Administration" means the National Aeronautics and Space Administration.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the National Aeronautics and Space Administration.
(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3329.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
10101	(no source)	

Title-wide definitions for the terms "Administration" and "Administrator" are added for clarity and convenience.

SHORT TITLE OF 2008 ACT

Pub. L. 110-422, §1(a), Oct. 15, 2008, 122 Stat. 4779, provided that: "This Act [see Tables for classification] may be cited as the 'National Aeronautics and Space Administration Authorization Act of 2008'."

SHORT TITLE OF 2005 ACT

Pub. L. 109-155, §1(a), Dec. 30, 2005, 119 Stat. 2895, provided that: "This Act [see Tables for classification] may be cited as the 'National Aeronautics and Space Administration Authorization Act of 2005'."

SHORT TITLE OF 2004 ACT

Pub. L. 108-492, §1, Dec. 23, 2004, 118 Stat. 3974, provided that: "This Act [see Tables for classification] may be cited as the 'Commercial Space Launch Amendments Act of 2004'."

SHORT TITLE OF 2002 ACT

Pub. L. 107-248, title IX, §901, Oct. 23, 2002, 116 Stat. 1573, provided that: "This title [see Tables for classification] may be cited as the 'Commercial Reusable In-Space Transportation Act of 2002'."

SHORT TITLE OF 2000 ACT

Pub. L. 106-405, §1, Nov. 1, 2000, 114 Stat. 1751, provided that: "This Act [see Tables for classification] may be cited as the 'Commercial Space Transportation Competitiveness Act of 2000'."

SHORT TITLE OF 1998 ACT

Pub. L. 105-303, §1(a), Oct. 28, 1998, 112 Stat. 2843, provided that: "This Act [see Tables for classification] may be cited as the 'Commercial Space Act of 1998'."

SHORT TITLE OF 1992 ACT

Pub. L. 102-555, §1, Oct. 28, 1992, 106 Stat. 4163, provided that: "This Act [see Tables for classification] may be cited as the 'Land Remote Sensing Policy Act of 1992'."

SHORT TITLE OF 1990 ACT

Pub. L. 101-611, title II, §201, Nov. 16, 1990, 104 Stat. 3205, provided that: "This title [see Tables for classification] may be cited as the 'Launch Services Purchase Act of 1990'."

SHORT TITLE OF 1987 ACT

Pub. L. 100-147, title II, §201, Oct. 30, 1987, 101 Stat. 869, provided that: "This title [see Tables for classification] may be cited as the 'National Space Grant College and Fellowship Act'."

SHORT TITLE OF 1958 ACT

Pub. L. 85-568, title I, §101, July 29, 1958, 72 Stat. 426, provided that: "This Act [see Tables for classification] may be cited as the 'National Aeronautics and Space Act of 1958'."

DEFINITIONS

Pub. L. 111-358, title II, §206, Jan. 4, 2011, 124 Stat. 3996, provided that: “In this title [amending section 18421 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under section 20303 of this title, preceding sections 30501 and 40901 of this title, and under section 18421 of Title 42]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of NASA.

“(2) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.”

Pub. L. 110-422, §3, Oct. 15, 2008, 122 Stat. 4782, provided that: “In this Act [see Short Title of 2008 Act note above]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of NASA.

“(2) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.

“(3) NOAA.—The term ‘NOAA’ means the National Oceanic and Atmospheric Administration.

“(4) OSTP.—The term ‘OSTP’ means the Office of Science and Technology Policy.”

Pub. L. 109-155, §2, Dec. 30, 2005, 119 Stat. 2897, provided that: “In this Act [see Short Title of 2005 Act note above]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration.

“(2) ISS.—The term ‘ISS’ means the International Space Station.

“(3) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.”

Pub. L. 106-391, §3, Oct. 30, 2000, 114 Stat. 1579, provided that: “For purposes of this Act [see Tables for classification]—

“(1) the term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration;

“(2) the term ‘commercial provider’ means any person providing space transportation services or other space-related activities, the primary control of which is held by persons other than a Federal, State, local, or foreign government;

“(3) the term ‘critical path’ means the sequence of events of a schedule of events under which a delay in any event causes a delay in the overall schedule;

“(4) the term ‘grant agreement’ has the meaning given that term in section 6302(2) of title 31, United States Code;

“(5) the term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

“(6) the term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

“(7) the term ‘United States commercial provider’ means a commercial provider, organized under the laws of the United States or of a State, which is—

“(A) more than 50 percent owned by United States nationals; or

“(B) a subsidiary of a foreign company and the Secretary of Commerce finds that—

“(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

“(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

“(II) significant contributions to employment in the United States; and

“(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to compa-

nies described in subparagraph (A) comparable to that afforded to such foreign company’s subsidiary in the United States, as evidenced by—

“(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

“(II) providing no barriers to companies described in subparagraph (A) with respect to local investment opportunities that are not provided to foreign companies in the United States; and

“(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).”

Subtitle II—General Program and Policy Provisions

CHAPTER 201—NATIONAL AERONAUTICS AND SPACE PROGRAM

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

Sec.	Short title.
20101.	Congressional declaration of policy and purpose.
20102.	Definitions.
20103.	

SUBCHAPTER II—COORDINATION OF AERONAUTICAL AND SPACE ACTIVITIES

20111.	National Aeronautics and Space Administration.
20112.	Functions of the Administration.
20113.	Powers of the Administration in performance of functions.
20114.	Administration and Department of Defense coordination.
20115.	International cooperation.
20116.	Reports to Congress.
20117.	Disposal of excess land.

SUBCHAPTER III—GENERAL ADMINISTRATIVE PROVISIONS

20131.	Public access to information.
20132.	Security requirements.
20133.	Permission to carry firearms.
20134.	Arrest authority.
20135.	Property rights in inventions.
20136.	Contributions awards.
20137.	Malpractice and negligence suits against United States.
20138.	Insurance and indemnification.
20139.	Insurance for experimental aerospace vehicles.
20140.	Appropriations.
20141.	Misuse of agency name and initials.
20142.	Contracts regarding expendable launch vehicles.
20143.	Full cost appropriations account structure.
20144.	Prize authority.
20145.	Lease of non-excess property.
20146.	Retrocession of jurisdiction.
20147.	Recovery and disposition authority.

SUBCHAPTER IV—UPPER ATMOSPHERE RESEARCH

20161.	Congressional declaration of purpose and policy.
20162.	Definition of upper atmosphere.
20163.	Program authorized.
20164.	International cooperation.

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

§ 20101. Short title

This chapter may be cited as the “National Aeronautics and Space Act”.